

01-31-05

8/20/05 JAW

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CUSTOMER NUMBER25268

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

• Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

Application Number	10/602,252
Filing Date	June 23, 2003
First Named Inventor	David A. Basiji
Group Art Unit	2877
Examiner Name	Michael Patricak Stafira
Attorney Docket No.	BIOL0069

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

X 1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

i. X Amendment/Reply (Preliminary Amendment)

ii. Affidavit(s)/Declaration(s)

iii. Information Disclosure Statement (IDS)

iv. Other _____

02/02/2005 ANABI1 00000051 10602252

01 FC:2801

395.00 OP

02 FC:2201

100.00 OP

02/02/2005 ANABI1 00000051 10602252

03 FC:2253

510.00 OP

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
- b. Other _____

X 3.. Request for Extension of Time

Applicant respectfully requests that the shortened statutory period for response to the Final Office Action dated July 28, 2004, set to expire on October 28, 2004, be extended by three (3) months to expire on January 28, 2005. The \$510 small entity 3-month extension of time fee is enclosed herewith in the check noted below.

X. 4. Claim Status

Computation of Fee For Claims as Submitted for filing in RCE					
	<u>Claims Remaining after Preliminary Amendment Submitted Herewith (if any)</u>	<u>Highest Number of Claims Previously Paid For</u>	<u>Number of Extra Claims</u>	<u>Rate</u>	<u>Fees</u>
Total Claims	10	20	-0-	x \$25	\$-0-
Independent Claims	4	3	1	x \$100	<u>100</u>
ADDITIONAL CLAIM FEE					\$100
OTHER FEE(S)					-0-
EXTENSION OF TIME FEE					510
RCE FEE					395
TOTAL ADDITIONAL FEE FOR THIS RCE SUBMISSION					<u>\$ 1005</u>

X 5.. **Fees** The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1940.

- i. RCE fee required under 37 CFR § 1.17(e)
 ii. Extension of time fee (37 CFR §§ 1.136 and 1.17)
 iii. X Any additional required fees
 iv. Other

b. X Check No. 7983 in the amount of \$1005 is enclosed, which includes all the fees as noted above.

c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Typed/Printed Name

Michael C. King

Registration Number: 44,832

Signature

Date: January 28, 2005

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EV534492170US

Date of Deposit: January 28, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Alexandria, Virginia 22313-1450.

Kathy Paulino

(Name of person mailing paper/fee)

(Signature of person mailing paper or fee)

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Director of the Patent and Trademark Office, Box RCE, Washington, DC 20231.**